

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 12-03053-01-CR-S-RED
)	
BRENT "PETE" TURLEY,)	
)	
Defendant.)	

**MOTION TO SUPPRESS DEFENDANT'S STATEMENTS
AND ALL EVIDENCE DERIVED THEREBY**

Comes now Defendant, Brent "Pete" Turley, by counsel, and respectfully submits the following in support of his Motion to Suppress Defendant's Statements and all Evidence Derived Thereby as Fruit of the Poisonous Tree:

SUGGESTIONS IN SUPPORT

1. On March 19, and March 20, 2012, Defendant was interrogated by law enforcement officers regarding the allegations contained in the instant indictment. During officers' interrogation, Mr. Turley made numerous statements to the officers. A review of the government's discovery file, reveals that the government has used Defendant's statements to obtain other evidence and that the government intends to use the statements themselves as evidence against Defendant in its case-in-chief.

2. Defendant's statements were not voluntary and were the result of mental and/or physical coercion, duress and threats.

3 Defendant's statements were obtained by trick, promises and false pretenses.

4. Defendant's statements are the fruit of an illegal, unconstitutional and unreasonable arrest and/or detention of Defendant.

5. Defendant had no attorney present and did not adequately, voluntarily and knowingly waive his right to counsel.

6. Defendant's statement was obtained from him in violation of the Fifth and Sixth Amendments to the United States Constitution, including his privilege against self-incrimination and his right to counsel and due process of law.

WHEREFORE, Defendant prays that this Court issue its Order suppressing from the use in evidence all statements obtained from Defendant on or about March 19, 2012 and March 20, 2012, whether written, oral or recorded, signed or unsigned, and whether exculpatory or incriminating and the fruits thereof, as a result of officer's illegal interrogation.

Respectfully submitted,

/s/ Nancy R. Price

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Attorney for Brent "Pete" Turley

CERTIFICATE OF SERVICE

I hereby certify that on Wednesday, January 02, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all parties so entitled to such notice and that I have mailed the foregoing by U.S. mail first-class postage prepaid to the following non CM/ECF participant, Brent “Pete” Turley.

/s/ Nancy R. Price
NANCY R. PRICE